IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO
WRIT PETITION NO : 17046 of 2001

Between:

1. G.Prasad, S/o Venkateshwarlu,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
2. G.Rama, W/o G.Prasad,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
3. P.Adilakshmamma, W/o Pedakothaiah,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
4. G.Vijaya, W/o Venkat Rao,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
5. G.Srinivasulu, S/o Chennaiah,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
6. T.Tirupataiah, S/o Narsimham,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
7. M.Rathaiah, S/o Pedakothaiah,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
8. P.Murali, S/o Venkatacharyulu,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
9. Y.Srinivasulu, S/o Venkateshwarlu,
   R/o Ilavaram Gram Panchyath, Kondepi Mandal,
   Kandukar Sub Division, Prakasham District.
10. Y.Madhavi, W/o Srinivasulu,
    R/o Ilavaram Gram Panchyath, Kondepi Mandal,
    Kandukar Sub Division, Prakasham District.
11. N.Srinivasulu, S/o Ramaiah,
    R/o Ilavaram Gram Panchyath, Kondepi Mandal,
    Kandukar Sub Division, Prakasham District.
12. B.Ram Murthy, S/o Venkatasubrahmanyam,
    R/o Ilavaram Gram Panchyath, Kondepi Mandal,
    Kandukar Sub Division, Prakasham District.
13. R.Venkateshwarulu, S/o Venkaiah,
    R/o Ilavaram Gram Panchyath, Kondepi Mandal,

Kandukar Sub Division, Prakasham District.

14 R.Susheela, W/o Venkateshwarulu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

15 R.Venkat Rao, S/o Venkateshwarulu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

16 M.Venkataramaniah, S/o Venkateshwarulu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

17 M.Naga Raju, S/o Venkataramaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

18 P.Sharada, W/o Kotiligalu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

19 B.Anuradha, W/o Ramaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

20 B.Sunitha, D/o Ramaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

21 B.Adishehu, S/o Krishnaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

22 B.Bhulakshmamma, W/o Adhisheshu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

23 B.Ramanaiah, S/o Adisheshu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

24 P.Srinivasa Rao, S/o Venkateshwarulu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

25 P.Vijaya Lakshmi, W/o Srinivasa Rao,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

26 N.Rathamma, W/o Srinivasa Rao,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

27 B.Venkateshwarulu, S/o Dothaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

28 B.Padma, W/o Venkateswarlu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

29 B.Shivaiah, S/o Dathaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,

Kandukar Sub Division, Prakasham District.

30 B.Lakshmamma, W/o Pichaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

31 B.Pichaiah, S/o Dathaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

32 B.Krishnaveni, W/o Pichaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

33 B.Ankaiah, S/o Dathaih,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

34 B.Kondamma, W/o Ankaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

35 B.Brahmaiah, S/o Kothaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

36 B.Kondal Rao, S/o Brahmaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

37 B.Malyadri, S/o Kotaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

38 B.Adilakshmamma, W/o Malyadri,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

39 B.Madhava Rao, S/o Bhramaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

40 B.Dhanamma, W/o Madhva Rao,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

41 B.Malakondaiah, S/o Kotaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

42 B.Koteshwari, W/o Malakondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

43 B.Narasaih, S/o Raghavulu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

44 B.Thriupathamma, W/o B.Narsimham,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

45 B.Malakondaiah, S/o Malakondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

46 B.Eshwaramma, W/o Malakondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
47 K.venkateswarlu, S/o Malkondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
48 K.Anjamma, W/o K.Venkateshwarlu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
49 M.Malyadri, S/o Malakondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
50 A.Hanumantha Rao, S/o Anjaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

51 A.Ravamma, W/o A.Hanumantha Rao
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
52 A.Chirinjeevi, S/o Anjaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
53 A.Venkatasubbiah, S/o Anjaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
54 M.Malyadri, S/o Nageshu,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
55 M.Nagendram, S/o Malyadri,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
56 P.Chenchaiah, S/o Kondaiah,
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
57 P.Peramma W/o P.Chenchaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
58 P.Prasad S/o P.Chenchaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
59 P.Nagamma W/o Prasad
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
60 P.Prasad S/o Thirupalu
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
61 P.Nagendar Rao S/o Thirupalu
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

62 P.Adilakshmi W/o P.Nagendar Rao
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
63 C.Jaya Rao S/o Chinasubbaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
64 C.Yesurathnam W/o C.Jaya Rao
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
65 R.Subbaiah S/o Ankaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
66 R.Subbamma W/o R.Subbaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
67 P.Narasaiah S/o Thirupalu
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

68 P.Singamma W/o Brahmaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
69 P.Bharathi W/o Venkateshwarlu
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
70 B.Krupa Rao S/o Sailu
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
71 B.Vijayamma W/o Krupa Rao
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
72 P.Koteshwaramma S/o Kondaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
73 P.Veera Narayana S/o Kotaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
74 P.Ankamma W/o P.Veera Narayana
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
75 P.Peda Brahmaiah S/o Kotaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
76 P.Eshwaramma W/o Peda Brahmaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.
77 C.Purushotham S/o Mathaiah
R/o Ilavaram Gram Panchyath, Kondepi Mandal,

Kandukar Sub Division, Prakasham District.

78 C.Komuramma W/o C.Purushotham
R/o Ilavaram Gram Panchyath, Kondepi Mandal,
Kandukar Sub Division, Prakasham District.

..... PETITIONERS

AND

1 The Electoral Registration Officer & the Revenue Divisional Officer,
119, Kondepi Assembly Constituency, Kandukur,
Prakasham District.
2 The District Panchayat Officer,
Ongole, Prakasham District.
3 The Assistant Electoral Registration Officer &
Mandal Revenue Officer, Kondepi Mandal, Prakasham District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents by deleting the names of the petitioners from the Voters List of Ilavara Gram Panchayat, Kandukur Sub-Division, Kondepi Mandal, Prakasam District as illegal, arbitrary, and without jurisdiction and consequently direct the respondents to include the names of the petitioners in the Voters List of Ilavara Gram Panchayat, Kandukur Sub-Division, Kondepi Mandal, Prakasham District

Counsel for the Petitioners:MR.PRABHAKAR BOMMAGANI

Counsel for the Respondents: ADVOCATE GENERAL

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.17046 OF 2001

ORDER:

The State Election Commission issued a notification on 30.7.2001 calling upon the voters in various Gram Panchayats where elections were to be held to fill up casual vacancies. As per the election programme, polling to Illavara Gram Panchayat, Kondepi Mandal, Prakasam District is to be held on 20.8.2001. In that context, seventy eight petitioners approached this Court seeking a direction to respondents to include their names in the voters' list of Illavara Gram Panchayat.

Though this Court admitted the Writ Petition, by order dt.18.8.201 dismissed W.P.M.P.No.21309 of 2001 wherein petitioners prayed for a direction to allow them to cast their votes on 20.8.2001. In that view of the matter, cause of action does not survive as the elections wee already held.

The Writ Petition is therefore dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

8.9.2004
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To

1 The Electoral Registration Officer & the Revenue Divisional Officer,
119, Kondepi Assembly Constituency, Kandukur,
Prakasham District.
2 The District Panchayat Officer,
Ongole, Prakasham District.
3 The Assistant Electoral Registration Officer &
Mandal Revenue Officer, Kondepi Mandal, Prakasham District.
4 2 CCs to the Advocate General, High Court Bldgs. Hyderabad
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